

H.C.R. 24 - (Parker): Recognizing the Optimist Club Chicken as the official symbol of the fight against drugs in Southeast Texas.

H.C.R. 53 - (Lyon): Extending congratulations to Aileen Franklin.

H.C.R. 56 - (Lyon): Extending congratulations to Shane McGuire.

H.C.R. 66 - (Lyon): Extending congratulations to Harold Smotherman.

H.C.R. 73 - (Dickson): Recognizing Temple as the Wildflower Capital of Texas.

H.C.R. 76 - (McFarland): Extending congratulations to Dr. Harold C. Boehning.

H.C.R. 103 - (Lyon): Extending congratulations to A. W. Riter, Jr.

H.C.R. 112 - (Barrientos): Extending congratulations to State Representative Withelmina Delco.

S.C.R. 53 - By Barrientos: Honoring Dr. Robert D. King for his commitment to The University of Texas as Dean of the College of Liberal Arts.

S.R. 169 - By Henderson: Extending congratulations to Bruce Palmer on the occasion of his retirement from AAA Auto Club.

S.R. 170 - By Henderson: Extending congratulations to Allen Walker on achieving the rank of Eagle Scout.

S.R. 171 - By Dickson: Commending Judge John Garth for his contribution to preserving the heritage and history of Bell County.

S.R. 175 - By Brooks: Expressing appreciation to Dr. Morris Craig for his outstanding efforts in establishing the Texas Council on Alzheimer's Disease and Related Disorders.

S.R. 176 - By Brooks: Expressing appreciation to Dr. Robert Bernstein for his outstanding efforts in establishing the Texas Council on Alzheimer's Disease and Related Disorders.

S.R. 177 - By Brooks: Expressing appreciation to Dr. J. Thomas Hutton for his outstanding efforts in establishing the Texas Council on Alzheimer's Disease and Related Disorders.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 12:08 p.m. adjourned until 11:00 a.m. tomorrow.

NINETEENTH DAY (Tuesday, February 28, 1989)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Glasgow, Green, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Santiesteban, Sims, Tejeda, Truan, Uribe, Washington, Whitmire, Zaffirini.

A quorum was announced present.

The Reverend Marshall Moore, Associate Pastor, First Baptist Church, Austin, offered the invocation as follows:

Our Heavenly Father, we thank You for these assembled who serve to protect and provide for the quality of life in our great State.

Give them Your spirit of discernment and wisdom as difficult decisions are made today.

Strengthen these that are in places of leadership so that they may not grow tired in their tasks.

Encourage us with Your spirit's presence so that truth and liberty will set us free.

In Your name, we pray. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate the following enrolled resolutions:

H.C.R. 5
H.C.R. 6
H.C.R. 24
H.C.R. 53
H.C.R. 56
H.C.R. 66
H.C.R. 73
H.C.R. 76
H.C.R. 78
H.C.R. 103
H.C.R. 111
H.C.R. 112

REPORTS OF STANDING COMMITTEES

Senator Parker submitted the following report for the Committee on Education:

S.B. 646
S.B. 647 (Amended)

Senator Montford submitted the following report for the Committee on State Affairs:

S.J.R. 2
S.B. 404
C.S.S.B. 245
C.S.S.B. 217
C.S.S.B. 170
C.S.S.B. 145

Senator McFarland submitted the following report for the Committee on Criminal Justice:

S.B. 429

SENATE BILLS ON FIRST READING

The following bills were introduced, read first time and referred to the Committee indicated:

- S.B. 700** by Lyon, Armbrister, Barrientos, State Affairs
Carriker, Caperton, Dickson, Edwards, Green, Johnson, Parker, Santiesteban,
Truan, Uribe, Washington, Whitmire
Relating to determining, regulating and controlling workers' compensation
insurance costs, the availability of workers' compensation insurance coverage, and
the workers' compensation insurance system.
- S.B. 701** by Lyon Economic Development
Relating to the regulation of rates for liability insurance.
- S.B. 702** by Lyon Economic Development
Relating to required reserves of liability insurers.
- S.B. 703** by Lyon Economic Development
Relating to the duty of certain insurers to write certain lines and classes of insurance
coverage.
- S.B. 704** by Lyon Economic Development
Relating to the Texas Free Enterprise and Anti-trust Act of 1983.
- S.B. 705** by Parmer Natural Resources
Relating to the denial or cancellation of the registration of a pesticide.
- S.B. 706** by Glasgow Finance
Relating to balancing of the state budget; making an appropriation.
- S.B. 707** by Barrientos, Truan Education
Relating to the provision of services by certain state agencies to students at risk of
dropping out of school.
- S.B. 708** by McFarland Economic Development
Relating to products liability actions.
- S.B. 709** by Barrientos, Brown Criminal Justice
Relating to the notification to crime victims of certain rights available to those
victims under state law and to the designation of crime victim liaison counselors.
- S.B. 710** by Caperton, Carriker Intergovernmental Relations
Relating to the administration and financing of mass transportation.
- S.B. 711** by Ratliff Criminal Justice
Relating to criminal mischief involving services subject to regulation by the Texas
Water Commission.
- S.B. 712** by Caperton, Barrientos, Brooks, Education
Brown, Edwards, Santiesteban, Zaffirini
Relating to the nonvoting representation of college and university students on the
governing boards of their university systems.
- S.B. 713** by Caperton Health and Human Services
Relating to the creation, administration, powers, duties, operation, and financing
of the Rice Hospital District; authorizing a tax; granting the authority to issue
bonds; and granting the power of eminent domain.
- S.B. 714** by Carriker Finance
Relating to the election of the board of directors of an appraisal district.

- S.B. 715** by Caperton Economic Development
Relating to the regulation of funeral directing and embalming.
- S.B. 716** by Edwards, Caperton Intergovernmental Relations
Relating to concurrent terms for counties in the 82nd Judicial District.
- S.B. 717** by Caperton Health and Human Services
Relating to the creation, administration, powers, duties, operation, and financing of the Columbus Community Hospital District; granting the power of eminent domain; granting the authority to issue bonds; and providing for the levy of taxes.
- S.B. 718** by Brooks Natural Resources
Relating to the deadline for filing an application for a place on the ballot in a water control and improvement district election.
- S.B. 719** by Brooks Finance
Relating to administrative review of property tax determinations.
- S.B. 720** by Sims Natural Resources
Relating to property rights in certain river beds.
- S.B. 721** by Parker State Affairs
Relating to prohibiting an appraisal district from using public funds to attempt to influence legislation.
- S.B. 722** by Parker Jurisprudence
Relating to the jurisdiction of the County Court at Law of Liberty County.
- S.B. 723** by Glasgow State Affairs
Relating to the right of fresh water supply districts to participate in certain procedures for the disposition of surplus and salvage state property.
- S.B. 724** by Glasgow Criminal Justice
Relating to payments to inmates on discharge or release from the Texas Department of Corrections.
- S.B. 725** by Glasgow Finance
Relating to the procedure for selecting the members of an appraisal district board of directors.
- S.B. 726** by Glasgow Finance
Relating to judicial review of ad valorem tax appraisals of oil and gas pipelines.
- S.B. 727** by Glasgow Jurisprudence
Relating to false statements made during a political campaign.
- S.B. 728** by Brown State Affairs
Amending Art. 8307c, Sec. 2 to define reasonable damages as regards municipalities to exclude punitive and/or exemplary damages.
- S.B. 729** by Brown State Affairs
Allowing for an employee's worker compensation benefit check to be mailed directly to a municipality that provides salary continuation benefits and allowing municipalities that provide salary continuation benefits to offset the amount of said benefits in the final settlement of a worker's compensation claim.
- S.B. 730** by Whitmire Intergovernmental Relations
Relating to procedures for suspending a fire fighter or police officer in certain cities.
- S.B. 731** by Haley State Affairs
Relating to the authority of the Texas Employment Commission to accept gifts.

- S.B. 732** by Haley Health and Human Services
Relating to the provision of emergency medical services by subscription.
- S.B. 733** by Haley State Affairs
Relating to the entitlement of employees of the Texas Department of Corrections to retain certain vacation leave time and compensatory leave time accumulated by those employees.
- S.B. 734** by Haley State Affairs
Relating to access by the Texas Employment Commission to criminal history record information of certain applicants for employment.
- S.B. 735** by Haley State Affairs
Relating to the rights of employers to timely notice and meaningful participation in certain appeals procedures conducted by the Texas Employment Commission.
- S.B. 736** by Armbrister Jurisprudence
Relating to the training of certain peace officers.
- S.B. 737** by Ratliff Economic Development
Relating to the regulation of professional engineers.
- S.B. 738** by Armbrister Criminal Justice
Relating to authorizing a sheriff to issue a commission to a retired sheriff.
- S.B. 739** by Parker Education
Relating to public school textbooks.
- S.B. 740** by Henderson, Caperton State Affairs
Relating to the purchasing, lease, or conversion of motor vehicles by state agencies, school districts, and local transit authorities and districts to assure use of compressed natural gas or other alternative fuels.

CO-AUTHOR OF SENATE BILL 423

On motion of Senator McFarland and by unanimous consent, Senator Parker will be shown as Co-author of S.B. 423.

CO-AUTHOR OF SENATE BILL 429

On motion of Senator Glasgow and by unanimous consent, Senator Brown will be shown as Co-author of S.B. 429.

GUEST PRESENTED

Senator Lyon was recognized and presented Dr. Ron Peron of Greenville.

The Senate welcomed Dr. Peron, a participant in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians, and expressed appreciation for his contributions today.

GUESTS PRESENTED

Senator Brooks was recognized and introduced Dr. J. Thomas Hutton, Dr. Robert Bernstein and Dr. Morris Craig.

These gentlemen, honored for their untiring efforts for the victims of Alzheimer's Disease, were escorted to the President's Rostrum by Senator Brooks.

The President presented them with enrolled resolutions adopted by the Senate yesterday.

SENATE CONCURRENT RESOLUTION 40

Senator Parker offered the following resolution:

S.C.R. 40, Declaring February 28, 1989, to be Counselor's Day in Austin.

**PARKER
BARRIENTOS**

The resolution was read.

On motion of Senator Parker and by unanimous consent, the resolution was considered immediately and was adopted viva voce vote.

GUESTS PRESENTED

Senator Parker was recognized and introduced a large delegation of counselors seated in the Senate Gallery.

The Senate welcomed these guests.

(Senator Brooks in Chair)

SENATE RESOLUTION 168

Senator Edwards offered the following resolution:

WHEREAS, Representatives of our beautiful state are important good will ambassadors for our citizens and to the world at large; and

WHEREAS, One of the most significant of these is our lovely and gifted Miss Texas, Cathy Castro; and

WHEREAS, Already noted for her beauty and talent, Cathy has been traveling extensively during the past months as Texas's official messenger for the Lone Star State; and

WHEREAS, Born in McAllen on April 13, 1966, Cathy is the daughter of Katy and Edward Castro who are understandably delighted with the accomplishments of their charming daughter; and

WHEREAS, After graduation from McAllen Memorial High School, Cathy began working on a degree in business administration at Texas Christian University and plans to continue her studies there when she completes her year as Miss Texas in July, 1989; and

WHEREAS, During her reign she has visited other states across the United States, including California, Kansas, Georgia, and Oklahoma, and has traveled throughout her native land extolling the attributes that abound in our fair state; and

WHEREAS, An accomplished dancer, Miss Castro has studied classical ballet under such renowned artists as Rudolf Nureyev, Maya Plisetskaya, Robert Joffrey, and Jose Greco; she won the 1988 Miss Texas Scholarship "Best Dancer Award"; now, therefore, be it

RESOLVED, that the Senate of the State of Texas, 71st Legislature, pay tribute to the accomplishments of Miss Texas, Cathy Castro, on behalf of the people of Texas; and, be it further

RESOLVED, That a copy of this Resolution be prepared for her as a memento of her year as Miss Texas and as a token of appreciation from the Texas Senate.

The resolution was read and was adopted viva voce vote.

GUEST PRESENTED

Miss Castro was escorted to the President's Rostrum by Senators Edwards and Barrientos.

Following brief remarks by Miss Castro, expressing her appreciation for this tribute, yellow roses and a token of her membership as an "Honorary Member of the Senate Bachelor's Club" were presented by Senator Edwards.

MESSAGE FROM THE HOUSE

House Chamber
February 28, 1989

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 1306. Relating to the application and calculation of the franchise tax.

H.C.R. 93. Declaring March 4, 1989, as a day for a Texas Homecoming.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

(President in Chair)

SENATE RESOLUTION 181

Senator Glasgow offered the following resolution:

WHEREAS, On Tuesday, February 28, 1989, Denton County Day will be celebrated by the proud citizens of Denton County in recognition of their illustrious county and its contributions to the State of Texas; and

WHEREAS, Situated just to the northwest of the Dallas Metroplex, this lovely area, consisting of 952 square miles, is almost equally divided north and south by the Eastern Cross Timbers, to the east lie the Blackland Prairies and to the west, the Grand Prairie; this gently rolling land is mostly rich black or sandy loam and is ideally suited for farming, dairying, and cattle raising; and

WHEREAS, Denton County, originally a part of Red River County under the Mexican government, was separately created by an act of the First Legislature on April 11, 1846, and the county was named in honor of John B. Denton; and

WHEREAS, The county seat has an unsettled history; the first four Texas legislatures authorized the change of the county seat until a site was finally chosen by a vote of the citizens in 1856 and was named Denton; and

WHEREAS, From its earliest days the men and women who settled in Denton County have been deeply interested in religion and education; cultural attractions of the area center around the Arts Complex and two major state universities, the University of North Texas and Texas Woman's University; and

WHEREAS, Historically a rich agricultural area, it has also become a center of modern industries as well; the blackland county produces sizeable quantities of cotton, oats, wheat, grain sorghums, peanuts, beef and dairy cattle, horses, and sheep; and

WHEREAS, The recreational attractions, including Lake Lewisville State Park on the Trinity River and Grapevine Lakes on Denton Creek, are enjoyed by the residents as well as thousands of tourists every year; and

WHEREAS, The residents of Denton County are understandably proud of this vital and productive region of Texas; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 71st Legislature, hereby congratulate the residents of Denton County on this grand occasion; and, be it further

RESOLVED, That a copy of this Resolution be prepared for Denton County in recognition of this momentous event and as an expression of congratulations from the Texas Senate.

GLASGOW
CARRIKER
McFARLAND

The resolution was read.

On motion of Senator Truan and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Glasgow and by unanimous consent, the resolution was adopted viva voce vote.

GUESTS PRESENTED

Senator Glasgow was recognized and introduced Denton County residents seated in the Senate Gallery.

The Senate welcomed these guests.

SENATE RESOLUTION 184

Senator Montford offered the following resolution:

WHEREAS, Today is a special day in the life of one of our ablest members, and it is fitting that we pause in our deliberations to pay tribute to him; and

WHEREAS, The Senate of the State of Texas is proud to honor one of its most distinguished associates, Senator Robert J. Glasgow, who celebrates his birthday February 28, 1989; and

WHEREAS, A native of Stephenville, this fine statesman has represented the constituents in his district since 1981, and their continued support for him is testimony of his leadership and abilities as a spokesman who addresses the special problems of his electoral district; and

WHEREAS, Offering their support and love throughout the meteoric career of this accomplished gentleman have been his attractive wife, Deanna, and his three delightful children, Delaina, Holli, and Jody; and

WHEREAS, Senator Glasgow served his country in the United States Army for three years before receiving his Bachelor of Arts degree in 1967 from Tarleton State University; he earned his law degree in 1970 from The University of Texas School of Law; and

WHEREAS, Displaying his leadership capabilities during his college career, Senator Glasgow served as class president and student body president and was named twice to Who's Who in American Colleges and Universities; and

WHEREAS, He brings his considerable knowledge and keen awareness of important issues, coupled with a cool head and a strong sense of duty, to solving legislative problems; and

WHEREAS, All Texans benefit from the considerable skills he brings to deliberations as chairman of the Jurisprudence Committee, vice-chairman of the Finance Committee, and member of the State Affairs Committee; and

WHEREAS, A practicing attorney, he is actively involved in the civic affairs of his community as a member of the Stephenville Chamber of Commerce, the Stephenville Optimist Club, the Texas Bar Foundation, Texas and American Trial Lawyers Association, and American Judicature Society; and

WHEREAS, His interest in the welfare of all citizens is reflected in his concerns for and membership on the Advisory Board of Labor and Industrial Relations Institute of the University of North Texas, the statewide committee on "Texans for

Child Support," and the Coalition for Victims Rights Advisory Board; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 71st Legislature, hereby extend Senator Bob Glasgow happy birthday greetings with a wish for much future happiness; and, be it further

RESOLVED, That a copy of this Resolution be prepared for him as an expression of highest esteem and regard from the Texas Senate.

The resolution was read.

On motion of Senator Truan and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Montford and by unanimous consent, the resolution was adopted viva voce vote.

HONORARY PAGES INTRODUCED

Senator Uribe was recognized and introduced the following young people from the Texas School for the Blind serving as Honorary Pages today: Antonio Ramirez of Weslaco, Ralph Trevino of Harlingen and Ozzy Delgadillo of Brownsville.

The Senate expressed appreciation for their service today.

HOUSE CONCURRENT RESOLUTION 81

The President laid before the Senate the following resolution:

H.C.R. 81, Extending congratulations to Barbara Walker, selected as Texas State Teacher of the Year.

The resolution was read.

On motion of Senator Green and by unanimous consent, the resolution was considered immediately and was adopted viva voce vote.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was filed with the Secretary of the Senate:

Austin, Texas
February 24, 1989

TO THE SENATE OF THE SEVENTY-FIRST LEGISLATURE, REGULAR SESSION:

Pursuant to Article III, Section 5 of the Texas Constitution, I hereby designate as an emergency matter legislation relating to providing appropriations to the Waco Campus of the Texas State Technical Institute for repairs to Building 6-1, which was damaged by fire on January 22, 1989.

Pursuant to Article III, Section 5 of the Texas Constitution, I hereby designate as an emergency matter legislation providing an appropriation to the Department of Agriculture of \$60,000 for the purpose of obtaining statistics regarding the production of agricultural commodities by county.

Sincerely,

/s/W. P. Clements, Jr.
William P. Clements, Jr.
Governor of Texas

MESSAGE FROM THE HOUSE

House Chamber
February 28, 1989

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

S.C.R. 53, Honoring Dean Robert D. King.

H.C.R. 120, Commemorating Galveston's 150th anniversary.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

HOUSE BILL ON FIRST READING

The following bill received from the House was read the first time and referred to the Committee indicated:

H.B. 1306, To Committee on Finance.

SENATE RULE 11.11 SUSPENDED

On motion of Senator Caperton and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Finance might consider **H.B. 1306** on recess today.

COMMITTEE SUBSTITUTE**SENATE CONCURRENT RESOLUTION 49 ON SECOND READING**

On motion of Senator Zaffirini and by unanimous consent, the regular order of business, Senate Rule 7.14 and Section 5 of Article III of the State Constitution were suspended to consider at this time on its second reading:

C.S.S.C.R. 49, Establishing a Joint Select Committee to develop a timetable and recommendation for the development and establishment of a four-year college at Laredo State University by the year 1998.

The resolution was read second time and was adopted viva voce vote.

COMMITTEE SUBSTITUTE**SENATE BILL 583 ON SECOND READING**

On motion of Senator Zaffirini and by unanimous consent, the regular order of business, Senate Rule 7.14 and Section 5 of Article III of the State Constitution were suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 583, Relating to establishing a graduate school of international trade at Laredo State University.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 583 ON THIRD READING**

Senator Zaffirini moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.S.B. 583** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed viva voce vote.

SENATE BILL 157 ON THIRD READING

On motion of Senator Washington and by unanimous consent, the regular order of business, Senate Rule 7.14 and Section 5 of Article III of the State Constitution were suspended to take up for consideration at this time on its third reading and final passage:

S.B. 157, Relating to the observance of the birthday of Martin Luther King, Jr., as a state holiday.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 350 ON SECOND READING

On motion of Senator Uribe and by unanimous consent, the regular order of business, Senate Rule 7.14 and Section 5 of Article III of the State Constitution were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 350, Relating to the availability of deferred adjudication for certain defendants.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 350 ON THIRD READING

Senator Uribe moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **S.B. 350** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed viva voce vote.

SENATE BILL 351 ON SECOND READING

On motion of Senator Uribe and by unanimous consent, the regular order of business, Senate Rule 7.14 and Section 5 of Article III of the State Constitution were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 351, Relating to allowing a jury in a criminal case to separate before the rendering of a verdict.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 351 ON THIRD READING

Senator Uribe moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that S.B. 351 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed viva voce vote.

SENATE BILL 441 ON SECOND READING

On motion of Senator Armbrister and by unanimous consent, the regular order of business, Senate Rule 7.14 and Section 5 of Article III of the State Constitution were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 441, Relating to the Advisory Committee on Probation Department Management to the Texas Adult Probation Commission.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 441 ON THIRD READING

Senator Armbrister moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that S.B. 441 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE
SENATE BILL 85 ON SECOND READING**

Senator Whitmire moved that the regular order of business, Senate Rule 7.14 and Section 5 of Article III of the State Constitution be suspended and that C.S.S.B. 85 be taken up for consideration at this time:

C.S.S.B. 85, Relating to the making of payments to a crime stoppers program as a condition of probation.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Green, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Sims, Tejeda, Truan, Uribe, Whitmire, Zaffirini.

Nays: Glasgow, Santiesteban, Washington.

The bill was read second time and was passed to engrossment viva voce vote.

RECORD OF VOTES

Senators Glasgow, Santiesteban and Washington asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

**COMMITTEE SUBSTITUTE
SENATE BILL 85 ON THIRD READING**

Senator Whitmire moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that C.S.S.B. 85 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 4.

Yeas: Armbrister, Barrientos, Bivins, Brooks, Brown, Carriker, Dickson, Edwards, Green, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Sims, Tejada, Truan, Uribe, Whitmire, Zaffirini.

Nays: Caperton, Glasgow, Santiesteban, Washington.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 4. (Same as previous roll call)

RECESS

On motion of Senator Brooks, the Senate at 12:26 p.m. took recess until 12:45 p.m. today.

AFTER RECESS

The Senate met at 12:45 p.m. and was called to order by Senator Caperton.

REPORT OF STANDING COMMITTEE

By unanimous consent, Senator Caperton submitted the following report for the Committee on Finance:

H.B. 1306

MEMORIAL RESOLUTIONS

S.R. 185 - By Montford: In memory of Judge M. L. "Milton" Kirby of Big Spring.

S.R. 186 - By Krier, Sims, Tejada, Zaffirini: In memory of Ted Warmbold of San Antonio.

CONGRATULATORY RESOLUTIONS

H.C.R. 87 - (Johnson): Declaring March 1989 as Women's History Month in Texas.

H.C.R. 93 - (Barrientos): Declaring a two-week period beginning on March 2 of each year as a time for A TEXAS HOMECOMING!

S.R. 178 - By Glasgow: Extending congratulations to Mrs. Dionne Phillips Bagsby of Fort Worth on being chosen as Executive Woman of the Year.

S.R. 179 - By Krier: Expressing appreciation to Jose Medellin of San Antonio.

S.R. 182 - By Brown: Recognizing the 100th anniversary of the Brazos River Harbor Jetties and commending the Village of Surfside Beach on the dedication of its historical park.

S.R. 183 - By Whitmire, Green, Henderson: Extending congratulations to Pete Williford for his 50 years of meritorious service to Central Freight Lines, Incorporated.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 12:46 p.m. adjourned, in loving memory of Ted Warmbold, editor of the San Antonio Light, until 11:00 a.m. tomorrow.

APPENDIX

Sent to Governor
(February 28, 1989)

S.C.R. 33

S.C.R. 44

S.C.R. 46

S.B. 220

S.B. 221

TWENTIETH DAY

(Wednesday, March 1, 1989)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Glasgow, Green, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Santiesteban, Sims, Tejada, Truan, Uribe, Washington, Whitmire, Zaffirini.

A quorum was announced present.

Senate Doorkeeper Jim Morris offered the invocation as follows:

Heavenly Father and Lord of all creation, bless each one in our plans and purposes this day. For the difficulties that may arise, give us stability. For the questions requiring answers, give us insight. For those things that matter most, provide a good understanding and forbid that we would abuse or misuse those strengths that by Your grace we are equipped. In Your name we pray. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

TRIBUTE TO MRS. LADY BIRD JOHNSON

The Honorable William P. Clements, Jr., and Mrs. Clements were announced by the Senate Doorkeeper and, upon the invitation of the President, were admitted and seated at the President's Rostrum, joining Mrs. Lady Bird Johnson and her grandson, Patrick Lyndon Nugent.

SENATE RESOLUTION 174

Senator Barrientos offered the following resolution:

WHEREAS, Lady Bird Johnson, the wife of Lyndon B. Johnson, the 36th President of the United States, has selflessly contributed her time, efforts, and talents to the people of the United States and to the beautification of the nation; and